

37 ~~73~~. The wireless over-the-air communications system defined in Claim 66 wherein the billing rates include special rate plans specific to the mobile unit making the call.

REMARKS

The Office Action dated 04/19/99, together with the references included therein, has been carefully reviewed.

Claims 1-65 stand rejected as being unpatentable, with the patent to Hillis and the reference to Okamoto being cited as evidence in support of the conclusion that the invention defined in these claims is not patentable under the requirements of 35 U.S.C. §103. Claims 2, 3, 5, 6, 8, 15-22, 24, 25, 32, 34, 39, 40, 45, 46, 48, 54, 56 and 65 have been cancelled.

Claim 1 has been replaced by new Claim 66, and Claim 21 has been replaced by new Claim 68 and the remaining claims have been amended to be consistent with the independent claims. Claim 66 specifically sets forth that the communications system includes a means for making call management decisions selected from the group consisting of billing rates, frequencies and service provider selection criteria and automatically changes parameters associated with the mobile unit based on the management decisions made by the system and completes or maintains a call based solely on the management decisions made in the MTSO regardless of the location of a cell site handling the call and without input from the user of the mobile unit. This permits the system to automatically adjust call parameters to maintain the call in the most accurate and efficient manner possible based on the

management decisions - without input from the user. This limitation is supported in the specification in, for example, see pages 15, 17, 18 and 27 as well as pages 19 and 29. The claims also set forth that the exact geographic location of a mobile unit is determined and is compared to location data stored in the communication system and that call management decisions are made based on that comparison. Still further, new claims have been added to specify that the call management decisions are made exclusive of signal strength and hand offs are effected regardless of signal strength. As discussed in the specification, this permits the system to maintain signal strength at the maximum near the borders of the system. Other claims have been amended to specify that more than one service provider is in the overall system and the system selects the service provider who will provide the most efficient and accurate call processing while other claims specify shared cell sites with the system making the call management decisions which also ensures an accurate and efficient call for the mobile unit. Yet further dependent claims have been added to further define the billing rates as including special plans for the particular mobile unit and that post-communication information is to be recorded.

As discussed in the specification, since the cellular field is so competitive, it is important to provide the most accurate and efficient caller service possible. As was also discussed in the specification, since cell sites are so expensive, it is important to make the most efficient use possible for each cell

site.

In order to achieve these objectives, applicants have devised a call management system that makes call management decisions based on the exact geographic location of the mobile unit. These call management decisions include determining billing rates, taxes, CP rating, customer service requested, and CMR system selection. Each of these decisions is made by the system and the call is automatically completed or continued in the most efficient and accurate manner without requiring any input from the user. The user is not involved in the decision process at all. In fact, the user is probably not even aware that any such decisions are being made.

None of the prior art teaches making such call management decisions by the system for the user. The Hillis patent discloses a system that keeps track of the location of a mobile unit in order to alert the user of rates at any given location and time. The user then decides whether to make or continue a call based on the information provided to him. The user makes the call management decision NOT the system. The Hillis SYSTEM does not make any call management decisions regarding billing rates, taxes, CP rating, customer service requested, call routing and CMR system selection. Certainly, the Hillis system does not select service providers based on the location of the mobile unit and the other criteria are set and do not change. Certainly, the Hillis patent has no teaching of making call management decisions exclusive of signal strength. Hillis furthermore does not suggest

sharing cell sites by two different service providers.

As an example to compare the Hillis system to applicants' claimed system, consider two mobile units located right next to each other. In Hillis, both of these units would be charged the same rate and have the same service provider. On the other hand, in applicants' system these same units might be charged at different rates (since one of the units may have negotiated a special rate for that location) and may be operating via different call routing and, in fact have totally different service providers associated with the call. If the two units were located next to a border, the Hillis system would have a low signal strength; whereas, the applicants' system would be operating at maximum signal strength.

Still further, both of the Hillis units would probably be using the same cell site, which is not necessarily the case with applicants' claimed system.

The Hillis users would be alerted to the cost of the call and have to make decisions regarding the call; whereas, applicants' users have decisions made for them by the system. The Hillis patent has no disclosure suggesting such system call management decision making.

The efficiency and accuracy of the Hillis system is fixed and invariable; whereas, in total contrast to this, applicants' claimed system is flexible, changeable and variable so the most efficient and accurate connection can be made and maintained for each particular call.

The Okamoto patent merely hands off a call from one cell site in a system to another cell site in the same system based on the location of the mobile unit. There is no disclosure suggesting that the system make the call management decisions claimed by applicants, nor is there any disclosure suggesting the other elements discussed above in relation to applicants' claims.

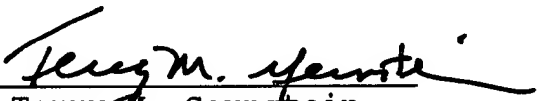
Accordingly, even combining the Hillis and Okamoto disclosures, does not suggest applicants' claimed invention.

The remaining claims contain similar limitations. As such, these claims, also, should be allowed.

Therefore, the claims as now submitted should be allowed.

In view of the foregoing amendments and remarks, it is believed that this application is now in condition for allowance. Accordingly, review and allowance are requested.

Respectfully submitted,


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